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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,604	10/30/2003	Rajasekaran Rangarajan	MSFT-2796/306048.1	7874

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EXAMINER	
NGUYEN, VAN H	
ART UNIT	**PAPER NUMBER**
2194	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,604	RANGARAJAN, RAJASEKARAN	
	Examiner	Art Unit	
	VAN H. NGUYEN	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/30/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the application filed 10/30/2003.

Claims 1-22 are currently pending in this application.

Oath/Declaration

2. The Office acknowledges receipt of a properly signed Oath/Declaration submitted 10/30/2003.

Information Disclosure Statement

3. The Applicants' Information Disclosure Statement, filed 10/30/2003, has been received, entered into the record, and considered.

Specification

4. Examiner requests that Applicant review the application carefully for informalities including typographical errors.

The disclosure is objected to because of the following informalities: *"an undefined paramater"* [¶0041] should read *"an undefined parameter"*. Appropriate correction is required.

Claim Objections

5. Claims 3 and 22 are objected to because of the following informalities:

- *"controlsthe"* (claim 3) should read *"controls the"*; and
- *"a output"* (claim 22) should read *"an output"*.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-10 and 18-21 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Specification does not explicitly describe nor is sufficiently clear for one of ordinary skill in art to recognize the following steps as recited in claims 1-10 and 18-21:

- *passing a single parameter to the stub function written into the allocated space in the second process, the single parameter identifying the function within the second process to execute, and at least one parameter required by the function to execute* (claim 1); and
- *identifying to the stub function a function to execute in the second process by passing the stub function a single parameter, the parameter comprising a pointer to an address in memory in the second process* (claim 18).

The Examiner could not locate the details of these steps within the Specification.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1- 10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims do not appear to fall within one of the four

enumerated categories of patentable subject matter recited in 35 U.S.C. § 101 (process, machine, manufacture or composition of matter).

Claims which are broad enough to read on statutory subject matter or on non-statutory subject matter are considered non-statutory. Cf. In re Lintner, 458 F.2d 1013, 1015, 173 USPQ 560, 562 (CCPA 1972) ("Claims which are broad enough to read on obvious subject matter are unpatentable even though they also read on nonobvious subject matter.") During prosecution, applicant can amend to limit the claims to statutory subject matter.

The following link on the World Wide Web is for the United States Patent And Trademark Office (USPTO) policy on 35 U.S.C. §101.

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf>

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Kessler et al**. (US6157961).

As to claim 11:

Kessler teaches a method for executing a function within a second process from a first process (see the Abstract and col.2, line 55-col.3, line 45), the method comprising:

- allocating space within the second process (see col.5, lines 33-54);
- writing a stub function into the allocated space within the second process (see col.6, line 50-col.7, line 65);
- identifying to the stub function the function in the second process to execute by passing information to the stub function (see col.6, lines 50-67; col.11, line 56-col.12, line 67).

As to claim 12:

Kessler teaches the information passed to the stub function comprises an address in memory within the second process (see col.4, line 56-col.5, line 46).

As to claim 13:

Kessler teaches the function in the second process to be executed by the stub function in the second process is identified by providing a pointer to a location in memory in the

second process at which the function to be executed is stored (see col.3, lines 39-46 and col.4, line 56-col.5, line 46).

As to claim 14:

Kessler teaches at least one parameter required by the function to be executed is identified by providing an offset from the location in memory at which the function to be executed is stored (see col.10, line 3-col.11, line 45).

As to claim 15:

Kessler teaches receiving from the stub function in the second process a result of executing the function identified by the pointer to the location in memory (see col.7, lines 42-55).

As to claim 16:

Kessler teaches the first process controls the second process by executing the stub function (see col.3, lines 1-38).

As to claim 17:

Kessler teaches the stub function is executed by creating a thread in the second process to execute the stub function (see col.5, lines 33-54).

As to claim 18:

The rejection of claim 11 above is incorporated herein in full. Kessler, further teaches passing the stub function a single parameter, the parameter comprising a pointer to an address in memory in the second process (see col.5, lines 1-9).

As to claim 19:

Kessler teaches receiving from the stub function a result of executing the function in the second process (see col.7, lines 42-55).

As to claim 20:

Kessler teaches the function to execute requires a plurality of input parameters (see col.11, line 55-col.12, line 67).

As to claim 21:

Kessler teaches the sub function initializes the plurality of input parameters to values located at specified offsets from the address in memory pointed to by the pointer (see col.10, line 3-col.11, line 45).

As to claim 22:

Kessler teaches the result of executing the function in the second process is stored at a location received from the stub function as a output parameter (see col.11, line 55-col.12, line 67).

As to claim 1

Refer to the discussion of claim 18 above for rejection.

As to claim 2:

Kessler teaches the function controller returns the result of execution of the function to execute to the first process (see col.7, lines 42-55).

As to claim 3:

Kessler teaches the first process controls the second process (see col.3, lines 1-38)..

As to claim 4:

Kessler teaches the function within the second process to execute requires a plurality of parameters (see col.11, line 55-col.12, line 67).

As to claim 5:

Kessler teaches the single parameter passed to the stub function comprises a pointer to a location in memory in the second process (see col.5, lines 1-9).

As to claim 6:

Kessler teaches the location in memory comprises an address, the address comprising the location of the function to execute in the second process (see col.5, lines 1-46).

As to claim 7:

Kessler teaches the address comprises the location of at least one parameter required by the function to execute (see col.5, lines 1-46).

As to claim 8:

Kessler teaches the result of executing the function to execute is returned to the first process (see col.7, lines 42-55).

As to claim 9:

Kessler teaches the result of executing the function to execute is returned to the first process by providing a pointer to the first process, the pointer pointing to stored data, the

stored data comprising the result of executing the function to execute (see col.5, lines 1-46).

As to claim 10:

Kessler teaches the pointer points to memory in the second process (see col.5, lines 1-9).

Conclusion

9. The prior art made of record, see PTO 892, and not relied upon is considered pertinent to applicant's disclosure. Applicant should review these references carefully before responding to this office action.

Contact Information

10. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM

6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
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